

## **Pinedale Anticline Working Group**

**APPROVED**

### **Meeting Minutes**

1:00 PM • Thursday • July 23, 2009

Rendezvous Conference Room  
Pinedale Field Office  
1625 West Pine  
Pinedale, Wyoming

### **Action Items**

Cathy Purves/AQTG - Request DEQ to attend next meeting and give progress report  
Deej Brown - Public review period for monitoring plan  
Task Groups - Inform the PAWG when any reports come out  
Shelley Gregory – Put PAPO proposal notice on the PAWG website for TGs  
BLM – Status of PAWG Wildlife recommendations from 2008

### **In Attendance**

#### PAWG Members

In person: Scott Smith (State of Wyoming), Nylla Kunard (Town of Pinedale), Paul Hagenstein (Livestock Operators), Cathy Purves (Chair/Environmental), Bart Myers (Sublette County), Kevin Williams (Questar), Jackson Schwabacher (Landowner). Absent: Chris Corlis (Public).

#### PAWG Task Group Members

Clint Gilchrist (BLM, Cultural), Bill Wadsworth (BLM, Transportation), Deej Brown (BLM, Reclamation), Erin Diems (Reclamation), Steff Kessler (Air Quality), Therese Hartman (WGFD, Wildlife), Lauren McKeever (BLM, Air Quality).

#### BLM

Shelley Gregory (DFO), Chuck Otto (FM).

#### Public

Sandy Wise (Shell), Tony Gosar (CC), Nancy Feck (Shell), Jamine Allison (Shell), Jim Sewell.

#### Press

Derek Farr (Sublette Examiner)

### **Meeting Minutes**

#### Distributed Documents

##### Agenda

May 7, 2009 Draft Minutes  
PAWG Recommendations and BLM Response  
Stewart Point Summary and Map  
PAPO Update

#### Task Group Handouts

Transportation Annual Report  
Wildlife Monitoring

### Approval of the minutes

Nylla Kunard motioned to accept the minutes of the May 7, 2009 PAWG meeting. Paul Hagenstein seconded. The motion passed unanimously.

### **Public Comment**

The meeting was opened for public comment; there were no comments.

### **Task Group Updates**

#### Transportation

Bill Wadsworth presented the Transportation Task Group Annual Report. The TG met twice this year with several new members. The first meeting in March was spent getting everyone up to speed. The second meeting in April was specifically to look at the Paradise 230kV Project EA and make recommendations to the PAWG in May. We also looked at the continuing monitoring focus on the Anticline, as far as monitoring road signs and replacing the ones that are shot up or disappear. A recommendation we're trying to coordinate is our radar system that was purchased several years ago and set out at Gobbler's Knob collecting data. Part of the issue is getting that data pulled in because of BLM security issues. In the coming year, we have another meeting scheduled in July and we're going to concentrate on the Gobbler's Knob area...the compressor site, Shell's and Ultra's locations for LGS, etc. Almost everything's happening out there.

#### Air Quality

Stephanie Kessler gave an update on the AQTG. We started off looking at the 2005 Air Quality Report that had been developed for the PAWG. There was consensus that it was a very big and detailed report and debated its usefulness. Is it more important to distill something like this into a more public/user-friendly format that could actually help the public understand in layman's terms the air quality in Sublette County or just update the big report? We all agreed that we needed some form of updating since the AQ landscape has changed since 2005 and more studies and monitoring have been initiated. We settled on the idea that we need to update but our ultimate goal should be to create a product for the public that made it easier to understand and find in one place all the sources of information. We are considering applying for some funding from the PAPO to develop a clearinghouse information website and hire a technical writer that would not be to analyze or collect data but to find all the sources of materials and studies and synthesize them into a form for the public. Paul Hagenstein expressed frustration at the progress of improvements in air quality. Chuck Otto stated that progress is on-going and that we're gaining fast but it's not something that will happen overnight. SK responded that a lot of time has been spent trying to figure out what to do but that if any specific requests for the TG came from the PAWG, it would give the TG a kind of urgency. Cathy Purves asked if the BLM could help get a response from the DEQ. Chuck Otto responded that he could talk to them but that DEQ was aggressively pursuing air quality measures not only with Anticline companies but with operators throughout the county and that any operator would vouch for that. We have a ROD that sets milestones for companies on the Anticline – for other companies operating on the Jonah and LaBarge, the DEQ is holding them to standards. Jackson Schwabacher expressed concern as to why the PAWG still hasn't heard from the DEQ. Chuck Otto responded that the DEQ is factoring in information received from the companies and crunching numbers and trying to come up with an adequate analysis. They're short-handed but working hard. Scott Smith motioned for the PAWG to request the DEQ to attend its next meeting on September 24 and provide information on their data that is due in September per the ROD (AQTG to name specifics). Jackson Schwabacher seconded. The motion passed unanimously.

#### Cultural

Clint Gilchrist reported that the task group did not have an update or any new data to present – but they were working on a future update. On a side note, Museum of the Mountain Man had a new display on materials out of the Jonah Field and that it was worth checking out.

#### Reclamation

Erin Siems updated the PAWG on the monitoring plan, which is on its fourth draft. The task group has had a lot of cooperation from the operators who are already trying to meet, if not exceeding, these standards. An internal debate over qualitative vs. quantitative monitoring is ongoing. Qualitative gets a really nice representative sample of the best reclamation work out there. Quantitative gives sheer numbers and a better representation. Another discussion covers the differences in soil composition and what can be planted. Also, we're working on habitat for sage grouse and pronghorn regarding specific seeding requirements and buffers. And we're trying to reduce the noxious plants threshold. The new database should be capable of handling any amount of data we enter but the concern is that we put so much information out there that no one could look at it all. Finally, we're putting together a general glossary of terms so that everything and everyone is totally specific in absolute terms. Cathy Purves asked if there was a reclamation plan and monitoring plan. Therese Hartman answered that there is a reclamation plan in the ROD and then an in-house monitoring plan that monitors the reclamation – which just had an in-house comment period. It will be available for additional public review at some point. Jackson Schwabacher asked if BLM was seeing better results from pads that are entirely fenced or just had a fenced reserve pit. Therese Hartman answered that those evaluations had been done in the Jonah Field but had not yet been done in the Anticline. In the Jonah, there was no real difference. Sandy Wise stated that the monitoring done in the Anticline showed there was a noticeable difference between fenced and unfenced reclaimed sites, mainly in the size of plants and density in the fenced. Shell thinks it's a best-practice.

### Wildlife

Therese Hartman reviewed the wildlife monitoring handout which summarized the contractors and status for various species monitoring reports. Scott Smith asked the PAWG if it would like annual or quarterly updates from these reports...perhaps the quarterly reports should be routed through the task groups but the PAWG should see the annual report in order to share it with the public. After some discussion, it was generally agreed by the PAWG that the task group should receive the quarterly reports and then give an update to the PAWG. TH added that the reports would be on the web database and available to the public. Cathy Purves queried if it was correct that the task group would review the contractor contracts. TH confirmed. CP then asked if the RFP team was the same team as the task group. TH responded that, by default, the wildlife task group had had input into the RFP process since several members were the same but that the task group itself had not had input since the documents were pre-decisional...but that once the contractors are chosen, we want the task group input so that we can make adjustments. CP asked if the task group could please e-mail the PAWG when a report came out and TH agreed.

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### **Public Comment**

The meeting was opened for public comment; there were no comments.

### **Pinedale Anticline Project Area**

#### Stewart Point

This site is west of Pinedale in a sensitive viewshed area. On the provided map, the purple line is the delineation line for the least visual impact. Key observation points are still being established. The pad is really only observable south of town, near the airport, when a viewer is a couple of miles distant. The multi-well pad consists of about six acres but fencing the entire area would not be necessary. There would be a closed-loop system so no reserve pit would be necessary. At this time, Shell can't really predict how many wells will end up on the pad but the term "mega-pad" is not one used by operators even though it generally refers to the size of the pad, not how many wells are on it. Topography, cultural concerns, and visual issues are all taken into consideration in well pad locations. The public comment period for this EA closes on August 14. Cathy Purves asked if this location met the requirements of the ROD. Chuck Otto replied that an analysis is done for each and if it doesn't meet ROD requirements, it's changed...we are maintaining a rigorous line on location so that these pads don't stick out around population centers; Stewart Point has a two-year time period for delineation wells which is why they're proposing it now. Kevin Williams stated that it was obvious how much work had gone into the pad location and how to mitigate its effects. It was established that the PAWG would not be able to meet again before the closing of the public comment period due to FRN requirements; thus, it would not be able to participate in the public on-site on July 29 and make any recommendations as a group. However, PAWG members could

participate as members of the public and make comments as such. The option of commenting when the actual application was received by the BLM and an EA produced was also floated.

#### Rig Count

There are currently 20 rigs in the field and that will likely remain steady, with a possible slight uptick, for the remainder of the year based mainly on the economics of the situation for the operators.

#### Hot Wells

Jackson Schwabacher asked for an update regarding water wells with water quality problems. Chuck Otto responded that the BLM was maintaining monitoring efforts but haven't picked up any new wells with exceedances of water quality standards.

### **SEIS ROD Implementation**

#### Implementation Plan

The plan has been posted on the web as a living document that is constantly being updated and refined. A Report to the Public is being prepared on the completion of commitments, decisions, highlights, and problems from the last year for release in September. The Upper Green River Valley Coalition has also put together a citizen's guide for monitoring on the PAPA.

#### Quarterly Operator Meeting

At the meeting in Cheyenne on July 15<sup>th</sup>, there was the suggestion that language addressing the intent of Adaptive Management be put on the actual AM form. Different timeframes for the APM were discussed – information would be provided in August for potential problem locations – involving wildlife, VRM issues, etc. – so that the BLM could have them upfront and start addressing them early and possibly have a solution by the APM in February. Kelly Bott gave an update on the DEQ-AQD and what they're doing for the offsets and how to incorporate those policies within the ROD. The ROD requires a ten-year forecast but DEQ doesn't have much faith that it's going to provide a lot of useful information; rather, two or three years out would be much more useful and AQD may have a recommendation on that forthcoming. The Lander Trail PA laid out a number of wells and that number has been met so additional mitigation is being discussed in order to adjust that number, including acquisition of more land along the trail. Any wells that are proposed within sensitive viewsheds do require visual resource protection plans and the BLM is in discussion with operators as to what it's looking for in terms of simulations, key observation points, etc. There have been problems with the current burrowing owl protocols since the call-back surveys used in Colorado are not working here. The contract will probably be expanded next year in order to expand or adapt old protocols for the owls. There is a requirement in the wildlife monitoring contracts that data collected actually belongs to the BLM and WGFD. There was a problem in the old contracts that the operators had funded in getting data from the contractors – but it is now clear that everything in the contract belongs to the BLM so that it has ready access to the data. The Avian Management Plan was based on the plan developed for the Jonah field but the plan was not finalized. At this point, the BLM is managing raptors on a case-by-case basis based on nest locations and monitoring data for individual raptors. An AMP would provide a formalized set of criteria that operators could count on and that the agencies could also readily communicate. Once the data summary from this year is available in October, the BLM, WGFD, FWS, and the operators will try to get something completed. Members of the PAWG and task groups are invited to attend any quarterly operator meeting. The meetings will be structured to avoid disseminating any proprietary information. Upcoming meetings are in the Pinedale Field Office on October 14, 2009 and January 13, 2010.

#### Liquids Gathering System (LGS)

From the BLM side of things, everything is proceeding with the LGS – pipes are being constructed and put in the ground. CGF1 is basically everything north of the New Fork River, CGF3, as far as Ultra is concerned, is concentrated around the Highway 351/Warbonnet area and extends a little way north of 351, and represents well over 80% of Ultra's production. CGF1 is experiencing some delays because of raptor strips but is on schedule for December 31, 2009. Shell is on track for September 2010. Chuck Otto stated that it was a huge effort for the companies putting a lot of pipe in the ground in a

relatively short period and things were going pretty well, especially considering the huge work load for the BLM realty specialists. Cathy Purves asked about the reclamation and reseeding plan. Erin Siems responded as a representative of the reclamation task group and SCWP. They are looking at some fall seeding and have a recommended seed mix.

#### Pinedale Anticline Project Office (PAPO)

The mitigation plan was established in December of 2008 and currently has a little over \$9 million for monitoring and mitigation projects. The Anticline established a \$7500 fee per spudded well that will also be put in that fund. As of April 30, there have been 88 wells spudded and that money is deposited as those wells are authorized so there is a continual funding source for the fund. The PAPO will be using the JIO project ranking sheets for any proposals. The PAPO staff will analyze them, then forward them to the executive board for approval and funding. The Nature Conservancy has proposed putting together a mitigation focus area for the PAPA. They will eventually provide a report and map as to where these future areas may be. A PAPO website is in the works. No deadlines for proposals have been set; once the website is up, the process for proposals will be more formalized. Task groups can apply for PAPO funding and have a better chance if the PAWG has endorsed their proposals.

#### **Recommendation Response**

A recap and clarification of the BLM response to the PAWG's May 7 recommendations ensued. In order to make Cultural TG recommendation #1 feasible, the Cultural TG should consider forwarding the draft monitoring plan for the most significant sites to the PAWG for a recommendation. For Cultural TG recommendation #2, at this point, this is not planned as part of power line mitigation. There was also some concern that these side trails were on private land where the BLM has no jurisdiction and where segments would not inventoried easily. Clint Gilchrist responded that it was an oversight from the historical community and that the next TG meeting would discuss ways to address that. Chuck Otto suggested it might be a good project for PAPO funding. The question arose that the Wildlife TG has made recommendations to the PAWG (in 2008), which were forwarded by the PAWG to the BLM, and there was now a question of their status. BLM would qualify their status at the September meeting.

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#### **Other Topics**

##### Annual Tour

Due to the logistics of posting a Federal Register notice and the timing of Secretary Salazar's RSVP, a new annual tour date was chosen for September 25, 2009 with areas of interest including reclamation, avian issues, the Sand Spring drainage, Anticline Disposal, Stewart Point, and LGS.

##### Upcoming Meetings

It was agreed by the PAWG that monthly meetings may be more conducive to timely reviews of activity on the PAPA. An FRN will be published for the following dates: November 5, 2009; January 28, 2010; February 25, 2010; March 25, 2010; April 22, 2010; May 27, 2010; June 24, 2010; July 22, 2010; August 26, 2010; September 23, 2010; and October 28, 2010.

##### Task Group Annual Reports

Since the PAWG will be meeting monthly, task group annual reports were rescheduled in order to distribute them more evenly throughout the year. Reclamation will remain in September. Water Resources will now be in November. Air Quality will now be in January. Cultural will be in March. Socioeconomic will be in April. Wildlife will be in May. Transportation will be in July.

##### Public-at-Large Nominations

The Wyoming state office has forwarded the nominee and newly required alternate to Washington DC where they will undergo vetting. A selection should be made soon.

#### **Public Comment**

The meeting was opened for public comment; there were no comments.

### **Adjournment**

Paul Hagenstein motioned to adjourn. Scott Smith seconded. The motion passed unanimously.

Meeting was adjourned at 4:10 pm.

The next meeting will be September 24, 1:00 pm, in the Pinedale Field Office followed by the Annual Tour of the Anticline on September 25.